

02/22/02



1084141 022202

UTILITY PATENT APPLICATION

TRANSMITTAL

Submit an original, and a duplicate for fee processing
by for nonprovisional applications under 37 CFR 1.55(b)

Attorney Docket No:

W8505-07

Page 1

First Named Inventor or Application Identifier

Peters et al.

Express Mail Label No: ET170356352US

Date Mailed:

02/22/2002

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents

2900 Crystal Drive, Arlington, VA 22202

1. ☒ Fee :

a. ☐ Separate Fee Transmittal Form Submitted

b. ☐ See boxes 29-31

2. ☒ Specification

Total Pages

14

3. ☐ Drawing(s) (35 USC 113)

Total Sheets

4. ☒ Oath or Declaration

a. ☐ Newly executed:

i. ☐ Original for first filing of nonprovisional application

ii. ☐ Original for C-I-P application

iii. ☐ Original for Continuation or Divisional application naming an inventor not named in prior application
(37 CFR 1.63(d)(5))

b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 20 completed):

i. ☒ With no change of inventive entity in prior application needed

ii. ☐ With deletion of inventors requested at Box 29(a)(i)
(37 CFR 1.48(b)) (see also 37 CFR 1.63(d)(2) and 1.33(b))

5. ☐ Incorporation By Reference (*useable if Box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)

7. ☐ Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)

a. ☐ Computer Readable Copy

b. ☐ Paper Copy (identical to computer copy)

c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (*cover sheet & document(s)*)

9. ☐ 37 CFR 3.73(b) Statement (*to establish right of assignee to take action*)

10. ☐ Power of Attorney

11. ☐ English Translation Document (*if applicable*)

12. ☐ Information Disclosure Statement (*See 37 CFR 1.17(p) for fee*)

a. ☐ Copies of IDS Citations

b. ☐ (IDS) / PTO-144913. ☐ Preliminary Amendment

1084141 022202

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02/22/02

02/22/02

1084141 022202

The PTO did not receive this application

POST CARD

14. ☒ Return Receipt Postcard (MPEP 503)(Should be specifically itemized)
15. ☐ Small Entity Statements:
- a. ☐ A small entity statement is enclosed claiming small entity status
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired
16. ☐ Priority of ☐ U.S. provisional application Serial No. _____, filed on _____ ☐ foreign application No. _____ filed on _____ in _____ (country), is claimed under 35 U.S.C. 119.
17. ☐ Certified Copy of Priority Document(s)(if foreign priority is claimed)
18. ☐ Other Documents Enclosed: _____

REQUEST THAT APPLICATION NOT BE PUBLISHED PURSUANT TO 35 U.S.C. 122(B)(2)

19. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

FOR A CONTINUING APPLICATION OR A 35 U.S.C. § 111(a) APPLICATION CLAIMING PRIORITY UNDER 111(b) PROVISIONAL APPLICATION

20. Check appropriate box and supply the requisite information:
☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)
21. ☒ Prior Application Information:
 US Serial No: 09/641,024, Filing Date: 08-17-00
 Prior Application Examiner: Griffin, W.D.
 Prior Application Art Unit: 1764
22. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee.
 (At least one original independent claim must be retained for filing purposes).
23. ☐ Amend the specification by inserting before the first line the sentence:
 This is a ☐ continuation ☐ division of application Serial No. _____, filed _____.
24. ☐ Amend the specification by inserting before the first line the sentence:
☐ This application claims priority under 35 U.S.C. § 119 of the following provisional application Serial No(s). _____ and filing date(s) _____
☐ The entire disclosure of application Serial No. _____, filed _____ is incorporated herein by reference.
25. ☐ New formal drawings are enclosed.
26. ☐ A certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.
27. ☐ The prior application is assigned of record to: _____.
28. ☒ The Power of Attorney in the prior application is to: Beverly J. Artale
- a. ☒ The power appears in the original papers of the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

1008414-02200

Inventorship Modifications For Continuation or Divisional Application

Page 3 of 3

- 29.
- ☐
- Change the inventorship of this application by:

- a.
- ☐
- Deleting the following inventors named in the prior application (37 CFR 1.53(b)(1)):

_____, because claim changes resulted in fewer than all of the previously named inventors of the prior application being the actual inventors of the invention being currently claimed in this CPA application (This request constitutes a Petition in accordance with 37 CFR 1.48(b)) (See Box 4(b)(ii) and 37 CFR 1.17(i) for fee);

FEES

- 30.
- ☒
- The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW

BASIC FILING FEE		\$740.00	\$740.00
TOTAL FILING FEE DUE:			\$740.00
Other Fees			
Fee Type			Fee Amount
Total Fees			\$740.00

- 31.
- ☒
- Please charge \$740.00 to Deposit Account No. 07-1770.

Two additional copies of this form are enclosed.

- 32.
- ☒
- The Director is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to
- Deposit Account No. 07-1770**
- .

Two additional copies of this form are enclosed.

CORRESPONDENCE ADDRESS

- 33.
- ☒
- Address all future communications to:

Beverly J. Artale
W. R. Grace & Co.-Conn.
Patent Dept.
7500 Grace Drive
Columbia, MD 21044-4098

February 22 2002
Date of Signature

Beverly J. Artale
Attorney or Agent

Address of Signator:

W. R. Grace & Co.-Conn.
Patent Department
7500 Grace Drive
Columbia, MD 21044-4098

Beverly J. Artale-Reg. No. 32,366
Telephone: 410-531-4769

- ☒ Attorney or agent of record
☐ Filed under 37 CFR 1.34(a)

cc. R. Woodruff

Revised 1/16/98

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☒ "EXPRESS MAIL" - Mailing Label No. ET170356352US

Date of Deposit: February 22, 2002

I hereby certify that the enclosed documents: Continuation Patent Application Transmittal (in triplicate); Specification (14 pages); and Declaration and Power of Attorney are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, 2900 Crystal Drive, Arlington, VA 22202

Rachel H. Scriven

(Typed or printed name of person mailing
mailing paper or fee)


(Signature of person)

Attorney Docket No. W-8505-07

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